

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECEIVED
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HARRY JAMES BRYANT

2015 SEP 25 PM 1:59

15CV7601

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

under the

Civil Rights Act, 42 U.S.C. § 1983

(Prisoner Complaint)

NEW YORK CITY POLICE COMM. WILLIAM BRATTON.

~~TWO ARRESTING OFFICERS/JOHN DOES~~
~~PAROLE OFFICER M. CARTER~~

Jury Trial: ☒ Yes ☐ No

(check one)

~~STATE PAROLE COMM.~~

~~R AUL BAEZ~~

~~BRONX DISTRICT ATTORNEY~~

~~FRIM TOMLINSON, LEGAL AID ATT ORNEY~~

~~MICHAEL GIBBONS, LEGAL AID ATTORNEY~~

~~RYAN SCHWARTZ, LEGAL AID ATTORNEY~~

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name HARRY JAMES BRYANT
ID # 241-15-05451
Current Institution VCRC
Address 1 Halleck street
Bronx, new york, 10474

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Police comm. William Bartton Shield #
Where Currently Employed new york city police headquarters
Address one police plaza
new york, N.Y. 10007

Defendant No. 2 Name two arresting officers JOHN DOE Shield # _____
Where Currently Employed BRONX COUNTY POLICE PRECINCT
Address BRONX, NEW YORK, 10454

Defendant No. 3 Name RAUL RAEZ Shield # _____
Where Currently Employed N/a
Address 104 west 174 street apt 3c#1
BRONX, NEW YORK, 10453

Defendant No. 4 Name N.Y.S. DIVISION OF PAROLE Shield # _____
Where Currently Employed DIVISION OF PAROLE
Address 97 central avenue
ALBANY, NEW YORK, 12224

Defendant No. 5 Name ERIN TOMLINSON Shield # _____
Where Currently Employed LEGAL AID LAWYER
Address 100 water street
NEW YORK, N.Y. 10038

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

B. Where in the institution did the events giving rise to your claim(s) occur?

C. What date and approximate time did the events giving rise to your claim(s) occur?
July 7, 2015, at approximately 11:30 P.M.

D. Facts: ON JULY 7, 2015 AT APPROXIMATELY 11: 30 P.M. WHILE IN MY APARTMENT LOCATED AT 104 WEST 174TH STREET, #3C ROOM#4,

What happened to you?

AFTER USING THE LAVATORY DEFENDANT RAUL BAEZ UNLAWFULLY ENTERED MY DWELLING WITH THE TWO BRONX COUNTY PRECINCT JOHN DOE HISPANIC, AND CAICASIAN DEFENBDANTS THE DEFENDANT RAUL BAEZ INFORMED THE UN-warranted possessing two bronx police fDEFENDANTS THAT THE PLAINTIFF HARRY BRYANT HAD ASSAULTED HIM (FALSELY ACCTSED) WITH A BOX CUTTER,

Who did what?

BUT THE VDEFENBDANT RAUL BAEZ DID NOT HAVE ANY VISIBLE PHYSICAL INJURIES TO WARRANT AN UNWARRANTED ARRE, AND NO PROBABLE CAUSE FOR THE TWO(2) JOHN DOE BRONC* COUNTY DEFENDAN. POLICE TO ARREST PLAINTIFF TOGETHER MAKING THE ARREST DELIBERATE, AND SUBJECTING PLAINTIFF HARRY BRYANT TO CRUEL, AND UNUSUAL PUNISHMENT INDIRECT VIOLATION OF HIS FIRST, FOURTH, EIGHTH, AND FOURTEENTH AMENDMENT RIGHTS, WITBOUT THE MANDATED READING OF HIS MIRANDA RIGH WARRANTLESS, WITHOUT PROBABLE CAUSE, AND NO DIFINITIVE EVIDENCE AND/OR INJURIES TO SUPPORT OR

Was anyone else involved?

SUBSTANTIATE AN ARREST THAT WOULD BELAWEUL, IN ABSENCE OF THE UNNECEVSSARY AND UNDUE UNLAWFUL IMPRISONMENT THAT PLAINTIFF HAS AND IS CURRENTLY INDURING WHERE HIS HEALTH AND SANITY IS DETERIROARATING

Who else saw what happened?

BECAUSE OF SAID UNLAWFUL IMPRISONMENT AND MALICIOUS AND DEVEIOUS BEHAVIOR, AND ACCUSATIONS MADE BY DEFENDAN RAUL BAEZ, BECAUSE HE WAS IN FINANCIAL DEBT WITH PLAINTIFF, FOR PLAIFF' WILLINGNRESS TO KEEP

SAID LIVCING PROPERTY AND QUARTERS UP TO STANDARDS WITH INSPECTIONS BY THE BOARD OF HEALTH.

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. _____

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No ☒

SO DEFENDANT PAUL BAEZ DELIBERTLY CONCOCTED A FALSE ACCUSATION AND HAD PLAINTIFF FALSGLY ARRESSTED, CHARGED WITH ASSAULT IN THE SECOND DEGREE, A FELONY. YET ON JULY 13, 2015 WHEN it was time for the plaintiff to go in front of the Grand Jury, the People decided that the felony complaint would be dropped, and instead would move on the issue in the form of a misdemeanor. Instead of dismissing the complaint in it's entirety. ON THE RECORD IN OPEN COURT, THE JUDGE ASKED WHY THE PLAINTIFF HAD, T BEEN RELEASED YET, AND THE ANSWER WAS THAT I WAS ON PAROLE AND THAT I HAD A HOLD PLACED ON ME BY PAROLE. WHICH SUGGEST THAT THE REASON WHY THE COURT DIDN, T DISMISSED THE CASE COMPLETELY WAS TO APPEASE PAROLE AND TO FORCE ME TO COP OUT TO THE LESSER CHARGE TO AID PAROLE. CONCEDERING THAT THIS ISSUE STARTED WITH PAROLE OFFICER CARTER, WHO CAME TO THE PLAINTIFF RESIDENCE ON THE NIGHT IN QUESTION JULY 7, 2015, parole officer Carter came to the Plaintiff residence and was let into the shared apartment by Raul baez, totally against the Plaintiff wishes, Defendant Baez knew that the only person allowed to let the Plaintiff parole officer in the residence was him. Upon finding out how the Plaintiff parole officer got into the place of residence, a arguement between the Plaintiff and defendant Baez insured at that time the Plaintiff parole officer told Defendant Baez that she was leaving but she was leaving him her number, and that if he had any problem with me he could call her and she would deal with me her self, which was as if she was giving defendant Baez the Authority to have the Plaintiff arrested, or to concoct any type of story that he wanted to knowing that it would be beleived by the police AND PAROLE. THE ABOVE MENTIONED STATEMENT can be supported by the miuntes of the pleminary hearing held by parole on the Plaintiff Parole violation.

It is clear by the way the case against the plaintiff has and continue to be handled that the courts were aware that the case against the Plaintiff was a falseified case, that the way defendant Baez stated the incident it

couldn't have happened that way. Plaintiff Bryant suffers from broken bones in both hands as well as Athris in both hands, the Plaintiff did provide copies of medical documentations to his lawyers and the Courts as well as parole, to no avail the people who were sworn to uphold the law appeared only to want to rail road Plaintiff Bryant, Even the very lawyers sworn to defend the Plaintiff was also involved in attempting to rail road the Plaintiff as well.

Plaintiff has been falsely accused for something that he didn't do, couldn't have done, placed in jail unlawfully, by acts that are deliberate and sadistic, and compiled in a malicious manner with the sole purpose of causing serious emotional and mental anguish to the Plaintiff. The defendant Police commissioner Bratton is a defendant under the law of Municipality, in that he has created, and is responsible for the training poor as it is of the two Bronx county Police that did arrest Plaintiff Bryant, in the making polices that violate citizens rights when making unwarranted arrest without probable cause. As well as defendant commissioner new york state division of parole Jhon/Jane doe. Defendant parole officer Carter violated Plaintiff Parole without a conviction of a crime/ or of a guilty plea, when the incident in question was put into motion by her unprofessional way that she handled the situation between Plaintiff and Defendant Baez in the first place.

Last but not the least, the evidence didn't and has never supported what Defendant Baez stated to the Police from the off set to have the Plaintiff arrested. Defendant Baez claimed and swore that Plaintiff cut him with a box cutter, yet the medical report is inconsistent with that statement to the point that the felony charge was dismissed in less than a week.

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ____ No ____ Do Not Know ____

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ____ No ____ Do Not Know ____

If YES, which claim(s)? _____

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ____ No ____

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ____ No ____

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? _____

2. What was the result, if any? _____

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. _____

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed,

when and how, and their response, if any: _____

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. _____

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). Plaintiff is asking this honorable
court to award plaintiff montary damages for cruel and unusual
punishment pain and suffering under the 4th, 5th, 6th, 8th, and
14th, amendments of the U.S. constitution. 1,000,000 dollars for
punitive damages, for total of 6,000,000.

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes _____ No ☒

On
these
claims

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes _____ No ☒

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 16 day of September 2015

Signature of Plaintiff

Inmate Number

Institution Address

Hy f. Byn
241-151-0545
VCBC
1 Halleck Street
BRONX, NY 10474

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

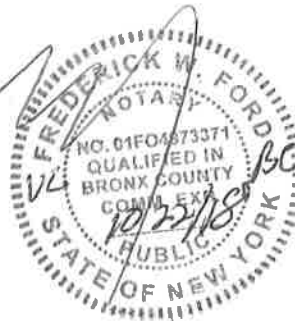
I declare under penalty of perjury that on this 16 day of September, 2015 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Hy f. Byn

September 16, 2015

[Signature]



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